



Senate

General Assembly

January Session, 2007

File No. 687

Senate Bill No. 1186

Senate, May 2, 2007

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING STATE EMPLOYEES SERVING IN OPERATION JUMP START OR CERTAIN OTHER OPERATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 5-259d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section, (1) "state employee" or "employee" means
4 any elected official, officer or full-time employee of the Executive,
5 Legislative or Judicial Department, and (2) "part pay" means the
6 difference between the state employee's base rate of pay, plus
7 longevity, in the employee's primary position on the date the
8 employee is called to active service in the armed forces of any state or
9 the United States and the total compensation the employee receives for
10 such active service, as certified to the State Comptroller by the
11 employing state agency in a manner acceptable to the State
12 Comptroller.

13 (b) Notwithstanding any provision of the general statutes or any

14 public or special act, the state shall continue to provide coverage,
15 under a group hospitalization and medical and surgical insurance plan
16 sponsored by the state under section 5-259, for the dependents of any
17 state employee and the state employee who is a member of the armed
18 forces of any state or of any reserve component of the armed forces of
19 the United States and who has been called to active service in the
20 armed forces of any state or the United States for (1) Operation
21 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency
22 operation or a military operation whose mission was substantially
23 changed as a result of the attacks of September 11, 2001, [or] (4) federal
24 action or state action authorized by the Governor in support of the
25 federal Department of Homeland Security's Operation Liberty Shield,
26 military operations that are authorized by the President of the United
27 States that entail military action against Iraq, or federal action or state
28 action authorized by the Governor to combat terrorism within the
29 United States, or (5) federal action or state action authorized by the
30 Governor or the President of the United States that entails service or
31 military action as part of Operation Jump Start at the border of the
32 United States and Mexico, for the duration of such call-up to active
33 service, provided such state employee and dependents were covered
34 by the insurance plan on the date the state employee was called to
35 active service and the state employee continues to pay any amount that
36 the employee was required to pay for coverage before being called to
37 active service. Any payment required to be made by the employee for
38 coverage under this subsection may be deducted from compensation
39 provided under subsection (c) of this section. The state shall reimburse
40 any state employee who has paid premiums for the continuation of
41 any such group hospitalization and medical and surgical insurance
42 plan between the date such state employee was called to active service
43 and November 20, 2001. The reimbursement shall be in the amount of
44 the state's portion of the premiums so paid.

45 (c) Notwithstanding any provision of the general statutes or any
46 public or special act, any state employee who is a member of the
47 armed forces of any state or of any reserve component of the armed
48 forces of the United States and who has been called to active service in

49 the armed forces of any state or the United States for (1) Operation
 50 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency
 51 operation or a military operation whose mission was substantially
 52 changed as a result of the attacks of September 11, 2001, [or] (4) federal
 53 action or state action authorized by the Governor in support of the
 54 federal Department of Homeland Security's Operation Liberty Shield,
 55 military operations that are authorized by the President of the United
 56 States that entail military action against Iraq, or federal action or state
 57 action authorized by the Governor to combat terrorism within the
 58 United States, or (5) federal action or state action authorized by the
 59 Governor or the President of the United States that entails service or
 60 military action as part of Operation Jump Start at the border of the
 61 United States and Mexico, shall continue to accrue all vacation and sick
 62 leave time to which the employee would be entitled if he or she had
 63 continued working in his or her state position during the time of such
 64 active service, and shall be entitled to a leave of absence with pay as
 65 provided in section 27-33 from the date on which the employee was
 66 called to active service. After the expiration of such leave of absence
 67 with pay, the state employee shall receive part pay for the duration of
 68 such call-up to active service if the compensation received by the state
 69 employee for such active service is less than the employee's base rate
 70 of pay, plus longevity, in the employee's primary position. The state
 71 employee shall not be required to exhaust accrued vacation or sick
 72 time in order to be eligible for the paid leave of absence and part pay
 73 under this subsection.

74 (d) No state employee shall be deemed ineligible for any benefit
 75 under this section or under any other provision of this chapter solely
 76 because such employee's leave is classified as recess rather than
 77 vacation pursuant to a collective bargaining agreement.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	5-259d
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VA *Joint Favorable C/R*

LAB

LAB *Joint Favorable C/R*

APP

APP *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Various State Agencies	All Funds - Cost	See Below	See Below

Municipal Impact: None

Explanation

This bill extends paid leave to state employees called to active-duty service in "Operation Jump Start". Under the bill, these employees (1) receive payment for the difference between their state pay and their military pay for active-duty leave beyond 30 days, (2) accrue vacation and sick time while on military leave, and (3) may choose to continue state health insurance coverage. Current law already provides these same benefits to state employees called to active service in certain military or emergency operations.¹

To the extent that state employees are called to active service under Operation Jump Start, the bill will result in a cost to the state. The cost would depend on how many state employees are serving in Operation Jump Start, and the duration of their leave. Operation Jump Start began in the summer of 2006 and up to 6,000 National Guard members (from various states) may be deployed. During the second year of operations, the number of National Guard deployed is expected to decrease significantly.

¹ Operation Enduring Freedom, Operation Noble Eagle, or a related military or emergency operation whose mission was substantially changed because of the September 11, 2001 terrorist attacks.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 1186*****AN ACT CONCERNING STATE EMPLOYEES SERVING IN
OPERATION JUMP START OR CERTAIN OTHER OPERATIONS.*****SUMMARY:**

This bill extends paid leave to state employees called by the president or governor to active-duty service in "Operation Jump Start" at the border of the United States and Mexico. It also extends health insurance coverage to such employees and their dependents. These employees get (1) full state pay for active-duty leave up to 30 days and (2) payment of the difference between the employee's state pay (including longevity) and military pay after 30 days. The employees and their dependents get continued state health insurance coverage for the duration of the call-up as long as the employees continue to make their co-payments at pre-activation levels.

The law already provides these same benefits to state employees called to active service for (1) Operation Enduring Freedom (Afghanistan war), (2) Operation Noble Eagle (anti-terrorism activities within the United States), or (3) a related military or emergency operation whose mission was substantially changed because of the September 11, 2001 terrorist attacks.

The bill prohibits denying state employees any of the above benefits or other State Personnel Act benefits solely because a collective bargaining contract classifies the employee's leave as recess rather than vacation.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 9 Nay 0 (03/01/2007)

Labor and Public Employees Committee

Joint Favorable Change of Reference

Yea 8 Nay 2 (03/06/2007)

Appropriations Committee

Joint Favorable

Yea 48 Nay 0 (04/17/2007)